

A Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Thursday, April 11, 2019.

The following actions were made during the meeting:

**Councilmember Bernhardt moved to approve the Proclamation in Recognition of Utah Family Month as read. Councilmember Larsen seconded the motion. The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, Councilmember Beus, and Councilmember Ramirez all in favor.**

**Councilmember Jacobsen moved to accept the Proclamation Recognizing Arbor Day in Nibley City. Councilmember Larsen seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Larsen, Councilmember Beus, Councilmember Bernhardt, and Councilmember Ramirez all in favor.**

**Councilmember Jacobsen moved to approve Resolution 19-08: A Resolution Amending the Budget for Various Funds of Nibley City for Fiscal Year 2018-19; Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal Year 2019-20 and Adjusting Certain Fees and Payments for Services; and waived the second reading. Councilmember Ramirez seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Ramirez, Councilmember Beus, Councilmember Bernhardt, and Councilmember Larsen all in favor.**

**Councilmember Bernhardt moved to accept the annexation petition for Firefly Park. Councilmember Larsen seconded the motion. The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, Councilmember Beus, and Councilmember Ramirez all in favor.**

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OFFICIAL MINUTES OF THE MEETING  
Deputy City Recorder Cheryl Bodily took minutes

Councilmember Bernhardt noted that it was time to start the meeting and that there was a need to select a Mayor Pro Tem.

Councilmember Jacobsen moved that Councilmember Beus act as the evening's Mayor Pro Tem. Councilmember Ramirez seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Ramirez, Councilmember Beus, Councilmember Bernhardt, and Councilmember Larsen all in favor.

### **Opening Ceremonies**

Councilmember Larsen led the meeting in the Pledge of Allegiance.

### **Call to Order and Roll Call**

Mayor Pro Tem Beus called the Thursday, April 11, 2019, Nibley City Council meeting to order at 6:32 p.m. Those in attendance included Councilman Larry Jacobsen, Councilwoman Kathryn Beus, Councilman Thomas Bernhardt, Councilmember Tim Ramirez, and Councilmember Norman Larsen. Mr. David Zook, Nibley City Manager, Stephen Nelson, Nibley City Planner, Michelle Jensen, Nibley City Treasurer, Justin Maughan, Nibley City Public Works Director, and Rod Elwood, Nibley City Forester was also in attendance.

### **Approval of agenda; and approval of the March 28, 2019 meeting minutes**

Mayor Pro Tem Beus clarified that the Council wouldn't have a Planning Commission report.

Councilmember Jacobsen moved the accept minutes from the last regularly scheduled City Council meeting; the last executive session meeting, and the evening's agenda, without the Planning Commission report. Councilmember Bernhardt seconded the motion. The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Bernhardt, Councilmember Beus, Councilmember Ramirez, and Councilmember Larsen all in favor.

### **Public Comment Period**

Seeing no public comment, Mayor Pro Tem Beus forwarded the meeting to discussion of a proclamation in recognition of Utah Family Month

### **Planning Commission Report**

The Planning Commission held no scheduled meeting since the City Council last met. There was no Planning Commission Report.

### **Discussion of A Proclamation in Recognition of Utah Family Month**

Cecile Gilmore, a member of the Board of Directors of the Family Place was present. Ms. Gilmore gave a brief description of the services offered by the Family Place and reviewed a few statistics. She asked the City Council to recognize Utah Family month; an emphasized time to focus on family (the time between Mother's Day and Father's Day). The goal for Family Month was record one million acts of service in forty days; *one million ways in forty days*. Ms. asked the City Council to participate in their challenge. Ms. Gilmore noted that the City Council was invited to the City Council Friends of the Family Place luncheon May 15.

Mayor Pro Tem Beus read the Utah Family month Proclamation.

Councilmember Bernhardt moved to approve the Proclamation in Recognition of Utah Family Month as read. Councilmember Larsen seconded the motion.

Councilmember Bernhardt said this was a big deal; he appreciated the Family Place and what the work they did. He said it was hard to truly recognize the importance of families. Mayor Pro Tem Beus thanked Cecile for coming and for being a resource for Nibley's community. Councilmember Jacobsen asked for Ms. Gilmore's help to get the appropriate information on the Nibley City website.

The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, Councilmember Beus, and Councilmember Ramirez all in favor.

**Discussion and Consideration of a Proclamation Recognizing Arbor Day in Nibley City**

Rod Elwood led this discussion. Mr. Elwood said that in accordance with Tree City standards, Nibley City needed to spend roughly \$2/resident (\$12,000/year) on tree related activities. Nibley City also needed to have a tree board or city forestry department, a tree care ordinance, a community program, and hold an annual Arbor Day celebration. Mr. Elwood described the Rotary clubs that would participate in Nibley's Arbor Day celebration in planting 18 different trees at Nibley's Firefly Park on April 26. Mr. Elwood reported that he'd learned that the US Forestry Service, through grants and through state forestry programs, sponsored the Tree City USA program.

Mayor Pro Tem Beus asked about past Arbor Day events. Mr. Elwood reported on the history of Nibley's Arbor Day celebrations. Mr. Zook took the opportunity to thank Mr. Elwood for keeping Nibley City's trees healthy. He commended him for his job. Mayor Pro Tem Beus asked if Mr. Elwood still had a nursery. Mr. Elwood said the nursery was almost empty; he would be redesigning how they did things and would start the nursery again in the Fall. Mr. Elwood said they had gone through approximately \$100,000 in trees by using a nursery. Councilmember Jacobsen asked about an inventory of trees and if it had been updated. Mr. Elwood felt he was behind by about 100; he guess Nibley City's inventory of trees was around 3,000.

Councilmember Jacobsen moved to accept the Proclamation Recognizing Arbor Day in Nibley City. Councilmember Larsen seconded the motion.

Councilmember Bernhardt pointed out that the Proclamation included wording about Mayor Dustin. Nibley staff recognized the error and said the error would be fixed immediately.

The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Larsen, Councilmember Beus, Councilmember Bernhardt, and Councilmember Ramirez all in favor.

**Presentation of the Government Financial Officers Association (GFOA) Distinguished Budget Presentation Award**

Mr. Rich Anderson, Finance Director for the City of Logan, was in attendance at the meeting and presented the award.

Mr. Anderson said he was the past-past President of the Utah Government and Finance Officers Association and was an acting board member. Mr. Anderson presented the Nibley City the Distinguished Budget Presentation award from the Government Finance Officers Association of the United States and Canada.

Mr. Anderson said the GFOA had established the Distinguished Budget Presentation award program in 1984 to encourage and assist State and local governments prepare budget documents of the very highest quality. Nibley City's budget had to satisfy nationally recognized guidelines, which are designed to assess how well the budget serves as a policy document, a financial plan, an operations guide and a communications device. Mr. Anderson continued, saying that documents submitted to the budget awards program are reviewed by selected members of GFOA, professional staff and by outside reviewers who have experience in public sector budgeting. This award, given for year 2019 fiscal budget, represents a significant achievement by Nibley City and reflects the commitment of Nibley's staff, management and the Mayor and Council in meeting the highest principals of governmental accounting. Receiving the award for the first time was a monumental feat. City staff and management, Mayor and Council, and most importantly, the citizens and taxpayers of Nibley, should be very proud of this achievement.

Mr. Anderson presented the Distinguished Budget Presentation award to David Zook, City Manager, and Michelle Jensen, Treasurer of Nibley City, on behalf of the Utah and National Government Finance Officers Association.

Mr. Zook thanked Nibley Treasurer, Michelle Jensen for her work on the Nibley City budget. He thanked all the staff. He said this had been a really big project and staff was not expecting to receive the award in the first year. Mr. Zook thanked the City Council for their support in Nibley City's budget.

**Discussion and Consideration of Resolution 19-08: A RESOLUTION AMENDING THE BUDGET FOR VARIOUS FUNDS OF NIBLEY CITY FOR FISCAL YEAR 2018-19, ADOPTING THE BUDGET FOR THE VARIOUS FUNDS OF NIBLEY CITY AND OTHER BUDGETARY MATTERS FOR FISCAL YEAR 2019-20 AND ADJUSTING CERTAIN FEES AND PAYMENTS FOR SERVICES (First Reading)**

Rod Elwood left at 6:55 p.m.

Mr. Zook led this presentation. He utilized a PowerPoint presentation entitled *Nibley City Budget, Fiscal Years 2019-20, April 11, 2019* (a printed copy of this presentation is

included in the written meeting minutes). Mr. Zook discussed the timeframe for adopting the final budget.

Mr. Zook discussed the following topics: Budget Overview, Sources of Revenue (Taxes, Fees/Grants/Fines, Utility Fees, Impact Fees), General fund – 12 Department, Other Funds – 7 More Budgets, Impact Fee Funds – 5 More Budgets, Key Changes, Proposals and Projects, General Fund Changes, Capital Projects, Transportation Projects, Vehicles, Water, Park Impact Fees, Street Impact Fees, Next Steps, Questions?

Mr. Zook discussed two items that the proposed Resolution changed in the current year budget; using water impact fees to pay down debt and the pass through taxes for the CVTD and 911 fees had been put into the current year budget.

Councilmember Jacobsen moved to approve Resolution 19-08: A Resolution Amending the Budget for Various Funds of Nibley City for Fiscal Year 2018-19; Adopting the Budget for the Various Funds of Nibley City and Other Budgetary Matters for Fiscal Year 2019-20 and Adjusting Certain Fees and Payments for Services; and waived the second reading. Councilmember Ramirez seconded the motion.

Councilmember Ramirez said removal of the splash pad from the budget was news to him. He asked if Mayor Pro Tem Beus was aware of the removed splash pad. She said she'd been in meetings about this for years. She said they couldn't do much of a splash pad with \$100,000 and discussed that Nibley City's playground equipment was in need of updating. She felt they could get more bang for their buck and upgrade playground equipment. Councilmember Ramirez thought there had been discussion of a combination splash pad and ice skate rink; he was interested in something year round. Councilmember Ramirez proposed that because this was for something unique; he asked if they could continue discussing something more unique; particularly something that got kids outside in the winter. Councilmember Jacobsen thought the Parks & Recreation Advisory Committee should discuss this and offer their suggestion. Councilmember Jacobsen said Logan had failed to get a skating rink out in the winter time for years now; he wanted them to get an ice skating rink that didn't require 10 inches of snow on the ground. Councilmember Bernhardt recalled the line item in the budget for that sale of two pieces of property on 800 West for \$100,000. The City Council discussed getting community support or business support for a splash pad.

Voting on the motion was as follows:  
Councilmember Bernhardt was in favor  
Councilmember Larsen was in favor  
Councilmember Jacobsen was in favor  
Councilmember Ramirez was in favor  
Councilmember Beus was in favor

The motion passed unanimously 5-0; with Councilmember Jacobsen, Councilmember Ramirez, Councilmember Beus, Councilmember Bernhardt, and Councilmember Larsen all in favor.

**Discussion and Consideration of an Annexation Petition for 20 acres, Contained Within Parcel Tax ID:03-008-0004, or Firefly Park, Located South of 2200 South and Between 1000 West and 800 West**

Mr. Nelson led this presentation. He described that the Firefly Park property was not currently within Nibley City boundaries. He said the proposal was to annex Firefly Park into Nibley City as well as half of 2200 South. Mr. Nelson described the items that should be considered by the City Council when annexing property.

Councilmember Ramirez asked if there were anywhere else in the City that the boundary line was the middle of the road. Mr. Zook described that this was the way it should be done. He described another area where the road hadn't been annexed down the middle and the problems that this made; 800 West going north towards Renegade Sport. Councilmember Ramirez said this would be a main artery road and would be maintained by two different jurisdictions maintaining it.

Mr. Nelson said staff's recommendation was to move the annex along because the benefits of incorporating the property into Nibley City outweigh the cost of maintaining the road. Mr. Nelson said there was a property owner on 640 West who didn't want to sign the annexation petition. His property would create an island, which was not permitted, unless Nibley City received permission from the County. Mr. Nelson said he'd discussed this with the County in order to get the annexation and island approved.

Councilmember Bernhardt moved to accept the annexation petition for Firefly Park. Councilmember Larsen seconded the motion.

Mr. Zook clarified that this motion started the annexation process. Staff would still need to

The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Larsen, Councilmember Jacobsen, Councilmember Beus, and Councilmember Ramirez all in favor.

**Council and Staff Reports**

Mr. Maughan reported that Nibley City was looking for seasonal work. He asked the City Council to send people who were interested in season work their way. He said the Public Works department was having a hard time filling seasonal positions.

Mr. Zook reported on the 640 West sidewalk project. The city right-of-way was really close to some people's houses there and the City had heard from a few residents. Mr.

Zook said staff was very confident that their surveyor line was correct. Staff was talking to the residents and having discussions about the sidewalk alignment.

Mr. Zook reported that staff had reported the City Council's decision regarding the 89/91 realignment, to Jeff Gilbert. He felt everyone would come back with the same alternative

Mr. Zook reported on a couple of training sessions that had occurred at Nibley City. There had been Election training with the BRAG Clerks and Recorder's Association. He noted there were three City Council seat up for election in the current year. He said he, Mr. Nelson and Nibley City Emergency Manager, Rick Williams had attended a Distaster Mitigation meeting at the Sheriff's office.

Mr. Zook reported that Hyrum City had supported the Court Memorandum of Understanding and it had gone to the State Management committee and had gone through to the Judicial Council. They would make the final decision on April 22.

Mr. Zook reported that he had given a State wide presentation on Emergency Communication. Councilmember Ramirez asked about including an alarm on Nibley City's wells. Mr. Maughan believed they had an alarm but was not sure if it was working.

Mr. Zook reported on the Veteran's Memorial in front of Nibley Elementary school in memoriam of Michael Alleman, a school teacher who had joined the armed services who'd been killed in Iraq. Mr. Zook said he'd gotten a approval from the school district to do the memorial.

Mr. Zook reported on a meeting with the Economic Development Corporation of Utah. Mr. Zook said Nibley City was a member of this organization and they wanted to know Nibley's long-term plans for economic development.

Mr. Zook reported that staff had been meeting with different companies regarding a community alert system

Mr. Zook reported on interpretive signage around Firefly Park and working with Stokes Nature Center and utilizing their expertise.

Mr. Zook reported on the flyers that had been placed at each Council seat regarding recreation and asked the City Council to support the City's recreation activities.

Mr. Zook said the advertised closed session was going to be the Mayor reporting his annual review so unless the Mayor had shared the information with the City Council, they could skip the closed session.

Councilmember Jacobsen reported that he'd met the State Water Engineer. Councilmember Jacobsen said he knew a lot about Nibley and a lot about the League of Cities and Towns. He had noted that the ULCT was a "powerful lobbying force."

There was general consent to adjourn the meeting at 8:26 p.m.

Attest: \_\_\_\_\_  
Deputy City Recorder